

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY DUFOUR, et al.,

No. C 09-3770 CRB

Plaintiffs,

**ORDER DENYING
ADMINISTRATIVE MOTION TO
SEAL**

v.

BE LLC et al.,

Defendants.

Plaintiff moved to seal certain documents submitted in connection with Plaintiff's motion for class certification, noting that Defendant Monterey Financial Services, Inc. ("Monterey") had designated the material confidential but that Plaintiffs did not believe Monterey could justify sealing the information. Northern District of California Civil Local Rule 79-5(d) governs such situations.

Under that rule, Monterey had seven days to file with the Court a declaration and narrowly tailored sealing order supporting its confidentiality designation. Monterey filed no such declaration, and Rule 79-5(d) provides that failure to do so results in the disputed

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1 information becoming part of the public record. Accordingly, Plaintiff's administrative
2 motion to seal (dkt. 186) is DENIED.

3 **IT IS SO ORDERED.**

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5 Dated: February 25, 2013


6 CHARLES R. BREYER
7 UNITED STATES DISTRICT JUDGE
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